

PJS
Williamston, MI

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

GREAT LAKES ELEVATOR, LLC
Employer

and

Case 07-RC-115360

INTERNATIONAL UNION OF ELEVATOR
CONSTRUCTORS, AFL-CIO
Petitioner

DECISION AND DIRECTION

The National Labor Relations Board, by a three-member panel, has considered a determinative challenge in an election held December 4, 2013, and the hearing officer's report recommending disposition of it. The election was conducted pursuant to a Stipulated Election Agreement. The revised tally of ballots shows 3 for and 2 against the Petitioner, with 2 challenged ballots, a number sufficient to affect the results of the election.

The Board has reviewed the record in light of the exceptions and briefs, and has adopted the hearing officer's findings¹ and recommendations.²

¹ The Employer has essentially excepted to some of the hearing officer's credibility findings. The Board's established policy is not to overrule a hearing officer's credibility resolutions unless the clear preponderance of all the relevant evidence convinces us that they are incorrect. *Stretch-Tex Co.*, 118 NLRB 1359, 1361 (1957). We find no basis for reversing the findings.

² In the absence of exceptions, we adopt pro forma the hearing officer's recommendation to overrule the challenge to the ballot of Ryan Chrysler.

DIRECTION

IT IS DIRECTED that the Regional Director for Region 7 shall, within 14 days from the date of this Decision and Direction, open and count the ballots of John Novitsky and Ryan Chrysler. The Regional Director shall then serve on the parties a revised tally of ballots and issue the appropriate certification.

Dated, Washington, D.C., May 30, 2014

Mark Gaston Pearce, Chairman

Harry I. Johnson, III, Member

Nancy Schiffer, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD